

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com
GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

Brett Schuman (SBN 189247)
bschuman@goodwinlaw.com
Rachel M. Walsh (SBN 250568)
rwalsh@goodwinlaw.com
GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax : +1 415 677 9041

10 Attorneys for Defendant
Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

15 || Waymo LLC,

Plaintiff,

V.

18 Uber Technologies, Inc.; Ottomotto LLC; Otto
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING LLC'S
SUMMARY OF ACTIONS TAKEN RE:
ORDER CONTINUING DEADLINE AND
SETTING HEARING ON MOTION TO
INTERVENE AND MODIFY
PROVISIONAL RELIEF [DKT. NO. 471]**

Trial Date: October 10, 2017

Date: October 16, 2014
Courtroom: 8, 19th Floor

Judge: Honorable William H. Alsup

Defendant Otto Trucking LLC (“Otto Trucking”) respectfully submits this summary of its efforts to comply with the Court’s Order Continuing Deadline and Setting Hearing on Motion to Intervene and Modify Provisional Relief [Dkt. No. 471].

I. PROHIBITION ON THE USE OF THE “DOWNLOADED MATERIALS” AND THEIR RETURN TO WAYMO.

Otto Trucking is has no operations, employees, consultants, no email or electronic communication systems, and no servers.

In order to comply with the Court's Order, Otto Trucking has sent notices to Lior Ron, Anthony Levandowski, Rhian Morgan, and Adam Bentley instructing them to refrain from using the downloaded materials in any way, and to return them. (Attached hereto as Exhibits A-D). Furthermore, since the formation of Otto Trucking in 2016, Mr. Ron, Ms. Morgan, and Mr. Bentley have stated that they do not have any downloaded materials and never received such materials.

II. REMOVAL OF ANTHONY LEVANDOWSKI FROM DEFENDANTS' LIDAR-RELATED ACTIVITIES

Otto Trucking does not develop, make or research LiDAR. As such, Mr. Levandowski has never and does not now have any LiDAR-related responsibilities at Otto Trucking. Otto Trucking has informed Mr. Levandowski that he is not to consult, copy, or otherwise use the downloaded materials in any way.

III. DEFENDANTS' DETAILED ACCOUNTING.

Mr. Ron, Ms. Morgan, and Mr. Bentley are employees of Uber Technologies Inc., and as such all three of them have been interviewed for Defendants' detailed accounting. Consequently, their information is included in the accounting filed by Uber.

Ms. Morgan has not seen or heard of the contents of the downloaded materials. Mr. Ron also has not seen or heard any part of any downloaded materials.

To the extent that it is responsive to the detailed accounting, Mr. Bentley, Mr. Ron and Mr.

1 Levandowski each received the Stroz report, but none of them received the attachments.

2

3 **IV. DEFENDANTS' LOG OF MR. LEVANDOWSKI'S COMMUNICATIONS
REGARDING LIDAR.**

4

5 Ms. Morgan has never discussed LiDAR with Mr. Levandowski. Mr. Ron is not involved
6 in the development of LiDAR. To the extent Mr. Ron and Mr. Bentley did have any conversations
7 with Mr. Levandowski regarding LiDAR, these conversations would appear in the logs generated
8 by Co-Defendant Uber. Otto Trucking has no information beyond that which was disclosed by
9 Uber pursuant to the PI Order with respect to oral and written communications where Mr.
Levandowski mentioned LiDAR.

10

Dated: June 23, 2017

Respectfully submitted,

11

12

By: /s/ Neel Chatterjee

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com
GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

16

17

18

19

20

21

Rachel M. Walsh (SBN 250568)
rwalsh@goodwinlaw.com
Brett Schuman (SBN 189247)
bschuman@goodwinlaw.com
GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax.: +1 415 677 9041

22

*Attorneys for Defendant
Otto Trucking LLC*

23

24

25

26

27

28

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on June 23, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of June 2017.

/s/ Neel Chatterjee
Neel Chatterjee